

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(b)	
Donald F. Campbell, Jr., Esq. (DC8924) Giordano, Halleran & Ciesla, P.C. 125 Half Mile Road, Suite 300 Red Bank, New Jersey 07701 Tel: (732) 741 3900 Fax: (732) 224 6599 dcampbell@ghclaw.com Attorneys for Creditor, Carla Cox Smith	Case No: 23-13359(VFP)
In Re: Bed Bath & Beyond, Inc. Debtor.	Chapter: 11 (Jointly Administered) Hearing Date: February 7, 2024 at 10:00 a.m. Judge: The Honorable Vincent F. Papalia, U.S.B.J.

**NOTICE OF MOTION OF CARLA COX SMITH FOR AN ORDER ALLOWING LATE
FILED CLAIM TO BE TREATED AS TIMELY FILED AND FOR RELIEF FROM
SEPTEMBER 14, 2023 INJUNCTION FOR PURSUING CLAIMS AGAINST DEBTOR**

TO:

Cole Schotz P.C.
25 Main St.
Hackensack, NJ 07601
(Debtor's Counsel)

Kirkland & Ellis LLP
601 Lexington Avenue
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Alvarez & Marsal North America, LLC
600 Madison Avenue
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Gibbons P.C.
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Bed Bath & Beyond, Inc.
650 Liberty Avenue
Union, NJ 07083
(Debtor)

CT Corporation System
208 SO LaSalle St.
Suite 814
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(Registered Agent)

U.S. Trustee
US Dept of Justice
Office of the US Trustee
One Newark Center Ste 2100
Newark, NJ 07102
(US Trustee)

SIR/MADAM:

Please take notice that on February 7, 2024 @ 10:00 am, or as soon as counsel may be heard, the undersigned attorneys for Carla Cox Smith, creditor in the above-captioned matter (“*Movant*”), will move before the Honorable Vincent F. Papalia, at the United States Bankruptcy Court for the District of New Jersey, 50 Walnut Street, Newark, NJ 07102, Courtroom #3B, for an entry of an order (i) allowing late filed claim to be treated as timely filed and (ii) vacating the Automatic Stay pursuant to 11 U.S.C. § 362(d), and for such relief as the Court deems just and

proper (the “*Motion*”).

PLEASE TAKE FURTHER NOTICE THAT the Movant shall rely upon the Application, Certification, and Proposed Order filed simultaneously herewith.

PLEASE TAKE FURTHER NOTICE THAT unless objections are timely filed, the Motion will be decided on the papers in accordance with D.N.J. LBR 9013-3(d), and the relief requested may be granted without further notice or hearing.

PLEASE TAKE FURTHER NOTICE THAT pursuant to D.N.J. LBR 9013-3(a), in the event the Motion is contested, there is a duty to confer to determine whether a consent order may be entered disposing of the Motion or to stipulate to the resolution of as many issues as possible.

PLEASE TAKE FURTHER NOTICE THAT in accordance with D.N.J. LBR 9013-3e, unless the Court authorizes otherwise prior to the hearing date or a subpoena is issued requesting attendance, no testimony may be taken at the hearing except by certification or affidavit.

Giordano, Halleran & Ciesla, P.C.
Attorneys for Carla Cox Smith

By: /s/ Donald F. Campbell, Jr.
Donald F. Campbell, Jr., Esq.

Dated: January 12, 2024